

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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Website address www.dir.ca.gov/oshsb**FINAL STATEMENT OF REASONS****CALIFORNIA CODE OF REGULATIONS**

**TITLE 8: Chapter 4, Subchapter 4, Article 2, Section 1523
of the Construction Safety Orders**

Illumination for Nighttime Highway Construction Projects**MODIFICATIONS AND RESPONSE TO COMMENTS RESULTING FROM
THE 45-DAY PUBLIC COMMENT PERIOD**

There are no modifications to the information contained in the Initial Statement of Reasons.

Summary and Response to Oral and Written Comments:

Robert Pieplow, Chief, Division of Construction, Department of Transportation, by letter dated September 17, 2003, received at the September 18, 2003 public hearing and presented by Gregory Berry.

Comment:

Mr. Berry wanted to clarify the statement contained in the Initial Statement of Reasons that the Department of Transportation has already implemented a 10-fc illumination requirement in their construction contracts. Mr. Berry stated that their contracts do not contain standard language for illumination requirements, but rather, they enforce the requirements of the Construction Safety Orders. Mr. Berry stated that in the past, the Department may have specified an illumination requirement on certain contracts under a pilot program. Nevertheless, Mr. Berry stated that the Department fully supports the proposal and believes that it will improve highway worker safety.

Response:

The Board apologizes for the incorrect statement and acknowledges that the Department of Transportation concurs with the proposal.

The Board thanks Mr. Pieplow and Mr. Berry for their comments, support of the proposal, and participation in the Board's rulemaking process.

ADDITIONAL DOCUMENTS RELIED UPON

None.

ADDITIONAL DOCUMENTS INCORPORATED BY REFERENCE

None.

DETERMINATION OF MANDATE

This regulation does not impose a mandate on local agencies or school districts as indicated in the Initial Statement of Reasons.

ALTERNATIVES CONSIDERED

The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed regulation. No alternative considered by the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the adopted action.